

**SPECIAL TOWN MEETING  
MEMORIAL TOWN HALL  
OCTOBER 7, 2010**

The Meeting was called to order at 7:20PM by Peter J. Adams, Moderator.

The Pledge of Allegiance was led by the Moderator.

There was a moment of silence in honor of John Begley, former Superintendent of Schools and Louise Perreira, Registrar.

Moderator introduced himself, Town Clerk, Board of Selectmen, Town Administrator and Asst.

Administrator, Town Counsel and Chairman of the Finance Committee introduced members of the Finance Committee.

The procedures for Town Meeting were explained by the Moderator.

The following articles were acted upon:

**Article 1:**

**AUTHORIZATION TO AMEND ARTICLE 4 OF THE GENERAL BYLAWS**

Majority voted that the Town amend General Bylaw, Article 4, Finance Committee, Section 1, Establishment, Terms and Conflicting Services, by deleting the first paragraph and substituting with the following: "There shall be a Finance Committee consisting of eleven (11) residents of the Town. They shall be appointed by the Moderator who shall serve also as a additional non-voting Ex-Officio member. A term shall run from July 1 of a year through June 30 of an ending year. The terms shall be staggered such that no fewer than three (3) members shall have their terms expire on June 30 of the ending year."

**Article 2:**

**AUTHORIZATION TO AMEND ARTICLE 6 OF THE GENERAL BYLAWS**

Unanimously voted that the Town amend General Bylaw Article 6, Streets and Highways, Section 9.4, Temporary Repairs in Private Ways, by striking "five" in the third sentence and replacing with "twenty", which increases the potential payback period.

**Article 3:**

**AUTHORIZATION TO AMEND ARTICLE 11 OF THE GENERAL BYLAWS**

Majority voted that the Town amend General Bylaw Article 11, Miscellaneous, Section 3, Numbering of Buildings, by striking the second paragraph in its entirety and replacing with the following:

“The Board of Assessors shall be required to regulate within the Town of Spencer the numbering of buildings and other property on or near the line of public or private ways, and such designations shall constitute the proper and legal address of said building or other property in the Town of Spencer.

All houses, businesses and structures shall properly display at the front thereof, in a position easily observed from the street on a year round basis, the proper number of the building assigned by the Town. Assignment of numbers shall be obtained from the Building Inspector at the time the building permits are approved. Owners of houses, businesses and structures without numbers at the time of passage of this bylaw shall obtain the proper number from the Board of Assessors as soon as possible.

In cases where a house, business or structure is not visible from the street, or the distance is too great for a reasonable size number to be easily seen from the street, a sign, no larger than twelve (12) inches by twelve (12) inches with numbers not less than three (3) inches in height and one and one quarter (1.25) inches in width, shall be posted at the street end of the driveway, and on the same side of the street, in such a way as to be seen by emergency vehicles approaching from either direction. This sign may be substituted by numbers not less than three (3) inches in height and one and a quarter (1.25) inches in width on both sides of the mailbox only if the mailbox is located at the end of the appropriate driveway and on the same side of the road.

In cases where more than one house, business or structure shares a common or shared driveway, or the buildings are not visible from the street, or the distance is too great for a reasonable size number to be easily seen from the street, a sign shall be posted at the street end of the driveway on the same side of the street in such a way as to easily be seen by emergency vehicles approaching from either direction. This sign shall designate the range of numbers for which the driveway serves. This sign may not exceed the twelve (12) inch by twelve (12) inch dimensions in order to accommodate the full set of numbers in a way easily seen from emergency vehicles. The numbers shall not be less than three (3) inches in height and one and a quarter (1.25) inch in width. The owner(s) will be notified by the Building Inspector by letter if this is necessary. Each driveway branching off of the common or shared driveway, and all subsequent branching, must have additional sign(s), dimensioned and visible as outlined above, at that immediate junction indicating which number(s) are served by that driveway.

In all cases each figure shall be at least three (3) inches in height and shall be clearly visible. Said numbers shall contrast with their background. Numbers placed on signs must be placed at a height of not less than three (3) feet from ground level and not exceed five (5) feet from

ground level. Signs must be kept clear of brush and other obstacles that would limit visibility of said sign by emergency vehicles.

In cases where a house, business or structure remains unnumbered, or where the numbering may have been lost or destroyed as to be illegible, the owner shall replace the numbering within twenty (20) days after official notification by either the Police Chief or Fire Chief.

Any violation beyond the twenty (20) day limit will result in a fine of \$10.00 per day. Violations may, as an alternative to criminal proceedings, be subject to the non-criminal disposition procedures of Article 11, Section 5 of the Town's General Bylaws. Each day in which the violation exists shall constitute a separate offense. No permit or Certificate of Compliance of any kind (i.e. occupancy, building, electrical, Smoke Detector Certificate of Compliance) shall be issued by the Town to the owners if their building, dwelling, business or structure is in violation, and does not have a number visible in compliance with this bylaw."

**Article 4:**

**RESCIND PREVIOUSLY AUTHORIZED AND UNISSUED DEBT**

Unanimously voted that the Town rescind previously authorized and unissued debt from the May 7, 2009 Town Meeting, Article 13, which included:

\$1,500,000	Town Hall Renovations
\$900,000	Town Hall site Work & Heating Fuel Conversion
\$6,613,000	Drinking Water Distribution System Improvements
\$8,125,000	New Fire Station Construction Project
\$605,000	O'Gara Park Improvement Project
\$300,000	North Brookfield Road Replacement & Related Work
\$129,542	Route 31 (Charlton Road) Pavement Replacement
\$124,013	Chickering Road Culvert Replacement
\$251,149	Elm Street Culvert and Replacement Work
\$2,391,054	Maple Street (Route 31) Reconstruction Project
\$3,388,500	Wastewater Treatment Plant Upgrade Project
\$244,000	Luther Hill Park Restoration Project

**Article 5:**

**AUTHORIZATION TO TRANSFER BETWEEN FY2011 PERSONNEL SERVICES ACCOUNTS**

Unanimously voted that the Town transfer the sum of Five Thousand Dollars and No Cents (\$5,000.00) from the ODIS Personnel Services Account #11250-51000 to the Town Administrator Personnel Services Account #11123-51000.

**Article 6:**

**AUTHORIZATION TO TRANSFER BETWEEN FY2011 GENERAL EXPENSES ACCOUNTS**

Unanimously voted that the Town transfer the sum of Eight Thousand Dollars and No Cents (\$8,000.00) from the Employee Benefits General Expenses Account #11800-57000 to the General & Liability Insurance General Expenses Account #11900-57000.

**Article 7:**

**AUTHORIZATION TO TRANSFER BETWEEN FY2011 DEBT SERVICE ACCOUNTS**

Unanimously voted that the Town transfer the sum of Four Thousand, Eight Hundred Dollars and No Cents (\$4,800.00) from the Debt Service Short Term Debt-Interest Account #11710-59200 to the Debt Service General Expenses Account #11710-57000.

**Article 8:**

**AUTHORIZATION TO TRANSFER BETWEEN FY2011 GENERAL EXPENSES ACCOUNTS**

Unanimously voted that the Town transfer the sum of Five Thousand Dollars and No Cents (\$5,000.00) from the Office of Development and Inspectional Services General Expenses Account #11250-57000 to the Information Technology General Expenses Account #11155-57000 for website development services.

**Article 9:**

**AUTHORIZATION TO PAY PREVIOUS FISCAL YEAR EXPENSE**

Unanimously voted that the Town appropriate the sum of Nine Hundred, Fifty-Seven Dollars and No Cents (\$957.00) to cover the Board of Health Personnel Expenses shortfall from Fiscal Year 2010 and to meet said appropriation from available Free Cash.

**Article 10:**

**AUTHORIZATION TO TRANSFER MONIES TO THE LAND ACQUISITION STABILIZATION ACCOUNT**

Majority voted (Declared vote by Moderator) that the Town transfer the sum of Thirty-Eight Thousand, Five Hundred Dollars and No Cents (\$38,500) from the Burncoat Land Acquisition Account #060-000-000-59097 to the Land Acquisition Stabilization Account # 83000-39920. Moderator declared: 201 voted In Favor and 25 voted Opposed.

**Article 11:**

**AUTHORIZATION TO TRANSFER MONIES TO THE FY2011 OPERATING BUDGET**

Unanimously voted that the Town transfer the sum of Five Thousand, Six Dollars and Twenty-One Cents (\$5,006.21) from the Cherry Street Fire Station/DPI Capital Account #060-000-000-59066 to the FY2011 Police Department General Expenses Account #11210-57000 to cover the Police Department's share of unexpected costs of generator repairs.

**Article 12:**

**AUTHORIZATION TO TRANSFER MONIES TO THE FY2011 OPERATING BUDGET**

Unanimously voted that the Town transfer the sum of Two Thousand, Six Hundred, Thirty-Two Dollars and No Cents (\$2,632.00) from the Communications Enhancement Capital Account #060-000-000-59158, Twenty-Four Dollars and Thirty Cents (\$24.30) from the Fire Department Cruiser Capital Account #060-000-000-59159, Sixty-Eight Cents (\$0.68) from the Spencer Fire and Emergency Services/Board of Health Drill Capital Account #060-000-000-59131, Sixty-Nine Dollars and Seventy-Two Cents (\$69.72) from the Board of Health ID Card Maker Capital Account #060-000-000-59164, Once Cent (\$0.01) from the Police Squad Room Upgrade Capital Account #060-000-000-59139, Thirty-Seven Dollars and Twenty-Four Cents (\$37.24) from the Highway Hose Machine Capital Account #060-000-000-59168, Seven Dollars and Three Cents (\$7.03) from the Cyclical/PP Capital Account #060-000-000-59123, Eighteen Dollars and Forty-Six Cents (\$18.46) from the Library System Leak Capital Account #060-000-000-59163, and Two Thousand, Three Hundred Dollars and No Cents (\$2,300.00) from the Fire Department Training Center Improvements Capital Account #060-000-000-59107 to the FY2011 Fire Department & Emergency Services General Expenses Account #11220-57000 to cover the Fire Department's share of unexpected costs of generator repairs.

**Article 13:**

**AUTHORIZATION TO TRANSFER MONIES TO FUND A CAPITAL EXPENDITURE**

Unanimously voted that the Town appropriate the sum of Twelve Thousand Dollars and No Cents (\$12,000.00) for the capital project of making renovations to the Animal Control Kennel, as approved by the Capital Improvement Planning Committee (CIPC), and to meet said appropriation by transferring said sum from the Building Maintenance Stabilization Fund.

**Article 14:**

**AUTHORIZATION TO TRANSFER MONIES TO FUND A CAPITAL EXPENDITURE**

Majority voted (Declared vote by Moderator) that the Town appropriate the sum not to exceed Twenty-Five Thousand Dollars and No Cents (\$25,000.00) for the capital project of making renovations to the Police Station Building and Site that includes roof and soffit repairs as approved by the Capital Improvement Planning Committee (CIPC), and to meet said appropriation by transferring said sum from the Building Maintenance Stabilization Fund.

Moderator declared: 222 voted In Favor and 4 voted Opposed.

**Article 15:**

**AUTHORIZATION TO TRANSFER MONIES TO FUND A CAPITAL EXPENDITURE**

Majority voted (Declared vote by Moderator) that the Town appropriate the sum of Sixty-One Thousand Dollars and No Cents (\$61,000.00) for the capital project of repairing the Fire Station roof as approved by the Capital Improvement Planning Committee (CIPC), and to meet said appropriation by transferring said sum from the Building Maintenance Stabilization Fund. Moderator declared: 221 voted In Favor and 5 voted Opposed.

**Article 16:**

**AUTHORIZATION TO TRANSFER MONIES TO FUND A CAPITAL EXPENDITURE**

Majority voted that the Town appropriate the sum of Ninety-Six Thousand, Seven Hundred Fifty-Six Dollars and Four Cents (\$96,756.04) into a Fire Station Storage Building Capital Account to be used towards the purchase and construction of a new Fire Station storage building, as approved by the Capital Improvement Planning Committee (CIPC), and to meet said appropriation by transferring the sum of Eighty-Three Thousand, Seven Hundred Fifty-Six Dollars and Four Cents (\$83,756.04) from the Fire Station Renovation Design Capital Account #060-000-000-59138 and Thirteen Thousand Dollars and No Cents (\$13,000.00) from the Fire Department Training Center Capital Account #060-000-000-59107.

**Article 17:**

**AUTHORIZATION TO TRANSFER MONIES TO FUND A CAPITAL EXPENDITURE**

Majority voted (Declared vote by Moderator) that the Town appropriate the sum of One Hundred Ninety Thousand Dollars and No Cents (\$190,000.00) for the purchase of a 20-ton, 6-wheeled dump truck with plow and sander box to replace a 1984 Highway Dump Truck (#4), as approved by the Capital Improvement Planning Committee (CIPC), and to meet said appropriation by transferring the sum of Twenty Thousand, Dollars and No Cents (\$20,000.00) from the Used Dump Truck Purchase Capital Account #060-000-000-59174, One Hundred, Thirty-Eight Thousand Dollars and No Cents (\$138,000.00) from the Capital Equipment Stabilization Account #83000-39910, and Thirty-Two Thousand Dollars and No Cents (\$32,000.00) from available Free Cash. Moderator declared: 205 voted In Favor and 21 voted Opposed.

**Article 18:**

**AUTHORIZATION TO ENTER INTO A LEASE AGREEMENT**

Majority voted that the Town authorize the Board of Selectmen to enter into a lease agreement for a brush mower for the Highway Department on such terms and conditions as it deems to be in the best interest of the Town, including but limited to a term of not to exceed ten years, and further to authorize the Board of Selectmen to take such actions and to execute, acknowledge, and deliver such documents as may be necessary or reasonable required to effectuate the purpose of this article, and to appropriate from the approved Fiscal Year 2011 Highway Department expense account #11422-

57000 the sum of Eleven Thousand , Eight Hundred and Eighty Two Dollars and Eighteen Cents (\$11,882.18), to meet the first year payment obligation under said lease.

**Article 19:**

**AUTHORIZATION TO TRANSFER MONIES TO BALANCE FY2011 TAX RATE**

Unanimously voted that the Town Pass Over this Article.

(To see if the Town will vote to transfer from available, certified Free Cash, the sum of Thirty Thousand Dollars and No Cents (\$30,000.00) for the purpose of stabilizing the Fiscal Year FY2011 Tax rate so as to fund Local Receipt shortfalls).

**Article 20:**

**AUTHORIZATION TO TRANSFER MONIES TO FUND REQUIRED DAM INSPECTION REPORTS**

Unanimously voted that the Town appropriate the sum of Seven Thousand, Five Hundred Dollars and No Cents (\$7,500.00) to pay for Phase I Inspections and Reports for the Sugden Reservoir Dam and the Lake Whittemore Dam as required by the MA Department of Conservation and Recreation, and to meet said appropriation by transferring said sum from the Waterways Improvements Fund Account #83000-39000.

**Article 21:**

**AUTHORIZATION TO TRANSFER MONIES TO FUND REQUIRED DAM REPAIRS**

Majority voted that the Town appropriate the sum of One Hundred, Thirty Thousand Dollars and No Cents (\$130,000.00) to make repairs to the Sugden Reservoir Dam, and to meet the said appropriation by transferring said sum from Free Cash. (Citizen Petition)

**Article 22:**

**AUTHORIZATION TO AMMEND THE PERSONNEL BYLAW**

Majority voted that the Town add the following position to Schedule C of the Personnel Bylaw:

Planner Part-time                      \$28.16 per hour

A Motion was made at 9:15PM to dissolve this Meeting.  
Majority voted at 9:15PM to dissolve this Meeting.  
239 Registered voters attended this Meeting.

Jean M. Mulhall, Town Clerk

